

Keith Altman

From: Keith Altman [kaltman@lawampmmt.com]
Sent: Wednesday, October 27, 2010 9:12 PM
To: 'Robert Lillienstein'; 'Jennifer Nigro'; 'ssilberfein@mosessinger.com'; 'Andrey Strutinskiy'
Subject: RE: Serin -- witnesses

Rob,

As part of the meet and confer process I would expect that you would tell me what it is that you think you are missing. For example, Dr. Smith's reports clearly show how the damages he opines upon are calculated. Yet you claim that we have not provided such calculations. So I am not sure what it is that you want beyond that. Would you please explain what it is with respect to damage calculations that you think you do not have?

Will you confirm that what I have offered below in my previous email is acceptable? I am not going to play a game of guessing what you want and then having you say that I didn't give you what you wanted. Frankly, I believe that Plaintiffs have provided everything required under the rules. I am trying to resolve the issue and you are not helping by telling me to figure it out for myself.

As to Dr. Smith, subject to his availability. I am not opposed to you taking more time to depose him on another session. My only issue as that you knew last week what his time constraints were. Also, please make sure to have a check made out to Dr. Smith for the 5 hours scheduled at his hourly rate [Andrey- can you please forward the rate to Rob]

Keith

From: Robert Lillienstein [mailto:RLillienstein@MOSESSINGER.COM]
Sent: Wednesday, October 27, 2010 8:54 PM
To: 'kaltman@lawampmmt.com'; Jennifer Nigro; Scott E. Silberfein
Subject: Re: Serin -- witnesses

I will give you details on Smith in the morning. It will be by video and he will have to go to the location. If that means that we will not be able to complete it due to his other commitment, we will complete it at another time, w the permission of the Court.

Regarding the Rule 26 damage calculation and supporting documents, I can't tell you what to do. What we are looking for is what the Rule requires and what the Court ordered. You represent the Plaintiffs, not us.

I will let Jen and or Scott address the balance of your email since I'm out of that loop.

From: Keith Altman
To: Jennifer Nigro; Scott E. Silberfein; Robert Lillienstein
Sent: Wed Oct 27 20:39:27 2010
Subject: RE: Serin -- witnesses
Jennifer,

Turner will be testifying by videotape and we will set the depo soon.

Patel is coming live as far as I know.

Let me know about smith so I can tell him where to go.

Where do we stand on scheduling Kravic, Sara, and Miguel? We also need to resolve how much time I still have with Sara.

It is also urgent that I get clarification on what information you want with respect to damages so that we

can get it to you. To the best of my knowledge 1) you have everything relied upon by Smith. 2) You have been provided misc docs previously with respect to the plaintiffs.

I will prepare a letter for you with each of the Plaintiffs and the damages with references to the previously produced Smith reports. As far as misc docs (expenses and such) we will send you copies again. What else is there that you think you need so that we can resolve this issue. I am trying to get you what you want, but I am not quite sure what the issue is.

See you tomorrow.

Keith

From: Jennifer Nigro [mailto:jnigro@MOSESSINGER.COM]
 Sent: Wednesday, October 27, 2010 6:22 PM
 To: 'Keith Altman'
 Subject: Serin -- witnesses

Keith: just to clarify -- Steven Turner is not coming to NY for trial, yes? Does the same go for Jaya Patel?

Also, I believe that Stan Smith is being taken by videoconference -- my paralegal left for the evening, so I have to wait for him to get back to me on the details

Jen

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